THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9971 OF 2006

03.07.2006

Between:

K.Thirumal Reddy, S/o.Lakshma Reddy

… Petitioner

AND

The District Collector, Medak District, Sanga Reddy
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9971 OF 2006

ORDER:

The Mandal Revenue Officer, Kulcharam Mandal (MRO), the second respondent herein, conducted public auction under A.P. Revenue Recovery Act, 1864 (the Act, for brevity) in respect of property belonging to M/s.Ambika Agro Industries, Warigunthem Village. The petitioner became highest bidder. A proposal was submitted by the MRO under Section 38 of the Act to the District Collector for confirmation. According to the petitioner, even without there being any confirmation or rejection, by impugned memo dated 24.4.2006, the MRO returned the cheque issued by the petitioner towards down payment and informed that re-auction would be conducted. Therefore, assailing such action, the present writ petition is filed.

The writ petition was filed mainly on the ground that in the absence of any proceedings from the office of the first respondent rejecting the auction and the price offered by the petitioner, the MRO could not have issued the impugned memo. Therefore, this Court directed the learned Assistant Government Pleader for Revenue (General) to produce file before this Court. Accordingly, the file No.B/816/98 has been produced before this Court. The attention of this Court is invited to the letter No.D2/4859/2001-1, dated 18.10.2005 addressed by the District Collector to the Revenue Divisional Officer, under a copy to the MRO whereunder while rejecting the auction conducted by the MRO on 04.1.2005 the District Collector directed to conduct re-auction on the ground that the price fetched in the auction is far below the market rate. Therefore, liberty is given to the petitioner to participate in the auction as and when it is conducted afresh. In this writ petition, no relief can be granted.

The writ petition is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

July 03, 2006
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